

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (BAIL) NO. 389 OF 2006

MR. CLEMENT TOCHI NNEBEDUM, ...Appellant
PRESENTLY LODGED IN JUDICIAL
CUSTODY JUDICIAL LOCK UP. MAPUSA
GOA.

Versus

STATE (THROUGH ANC PS, PANAJI Respondent
GOA).

Mr. Marvin D'Souza, Advocate for the Applicant-Accused.
Mr. C. A. Ferreira, Public Prosecutor for the State.

Coram:- N. A. BRITTO, J.

Date:- 29th November, 2006

P.C.

Heard Shri D'Souza, the learned Counsel on behalf of the applicant-accused and Shri Ferreira, the learned Public Prosecutor on behalf of the respondent.

2. The application for bail filed on behalf of the applicant-accused was rejected by this Court by Order dated 16.02.2006 on two counts. It was then submitted by the learned Advocate appearing on behalf of the applicant-accused that the applicant could be admitted to bail in case the applicant-A2 obtains any passport and other relevant travel documents and it was stated by this Court that applicant-A2 would be at liberty to apply afresh for bail on that count, in case passport and travel documents are obtained by the applicant-A2. On behalf of the applicant-A2 it is submitted by learned Advocate Shri D' Souza, that the applicant has been able to obtain the said passport and other travel documents. Nevertheless, the application for bail was also rejected because this Court found that the applicant-A2 along with the other accused could be inferred to have been

found in possession of commercial quantity and, therefore, their bail applications were required to be looked at negatively. The applicant-A1, therefore, would not be entitled to bail on second count because there is no change in circumstances regarding the same.

3. With the above observation, the application for bail is hereby rejected.

N. A. BRITTO, J.

arp/*